IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.3619 OF 2005

Siddharth Shirvastava. ... Applicant.

Versus.

The State of Maharashtra & anr. ... Respondents.

Shri Subhash Jha i/by M/s.Law Global for the Applicant.

Shri Viren V.Joshi for the Respondent (Complainant).

Ms.M.M.Deshmukh, A.P.P. for the Respondent No.1-State.

CORAM : ABHAY S. OKA, J.

DATED : 20th June, 2005.

P.C.:

1. This application is for extension of time to deposit a sum of Rs.1,75,000/- in terms of the orders dated 7th March 2005 and 6th April 2005 passed by this Court in Criminal Application No.2298 of 2005.

2. By order dated 7th March 2005, the Applicant herein who is also the Applicant in Criminal Revision Application No.57 of 2005 was directed to deposit a sum of Rs.1,75,000/- in this Court within a period of four weeks and the Respondent/complainant was permitted to withdraw the said amount. As the said amount could not be deposited within the time granted by this Court, by order dated 6th April 2005 further time of 8 weeks was granted to the Applicant to deposit the said sum of Rs.1,75,000/- in this Court. This Court specifically directed that no further extension will be granted for

any reason.

3. On the last date this application was strongly opposed by the learned Counsel for the original Complainant. Today the learned Counsel for the Applicant made a statement that the Applicant has brought two demand drafts, one in the sum of Rs.1,75,000/- and another in the sum of Rs.10,000/-, and he is willing to deposit the said demand drafts with the Registrar of this Court. He states that the demand draft in the sum of Rs.10,000/- is towards costs as directed by this Court. In view of this statement the learned Counsel appearing for the Respondent-Complainant has no objection if the time is extended.

4. Hence the following order is passed:

(i) The Application is disposed of by directing that the time to deposit a sum of Rs.1,75,000/- in Court is extended by a period of one week from today subject to condition that the Applicant will pay an additional sum of Rs.10,000/- towards costs within a period of one week from today.

(ii) After the amounts are deposited, the Respondent/orginal Complainant will be

entitled to withdraw the sum of Rs.1,75,000/- in terms of the earlier orders passed by this Court. He will also be entitled to withdraw the sum of Rs.10,000/- by way of costs of this Application.

(iii) The Application is disposed of in the above terms.

(iv) The parties to act on an authenticated copy of this order.

Judge.